

GOVERNMENT OF TELANGANA
ABSTRACT

BACKWARD CLASSES WELFARE DEPARTMENT – Appeal Petition filed by Sri R.Malla Reddy, S/o Lachi Reddy, R/o Vangara Village of Bheemdevarapally Mandal, Warangal (Urban) District filed U/s 7 of Telangana (SC, ST & BC) Regulation of Issue of Community Certificates Act, 1993 on cancellation of his BC-D Certificate by Collector and District Magistrate, the then Karimnagar District now Warangal (Urban) District - Appeal rejected – Orders – Issued.

BACKWARD CLASSES WELFARE (OP) DEPARTMENT

G.O.Ms.No. 2

Dated: 10-01-2018

Read the following:

1. The Collector and District Magistrate, Karimnagar District, Procs.Rc.No.C4/823/2012, Dt.14.06.2016
2. Appeal Petition filed by Sri R.Malla Reddy, S/o Lachi Reddy, R/o Vangara Village of Bheemdevarapally Mandal, Warangal (Urban) District, dt.12.09.2016, received on 04.10.2016 through Endt.No.274/M(BCW, F&E)/2016, dated.04.10.2016
3. Govt. Memo. No.2544/OP/A2/2016, dated.13.12.2016
4. From the District Collector, Warangal (Urban), Lr.Rc.No.C3/7336/2016, dated.27.01.2017
5. Govt., Memo.No.2544/OP/A2/2016, Dt.12.04.2017, 15.05.2017, 24.05.2017, 12.10.2017 & 20.12.2017
6. Govt., Memo.No.2544/OP/A2/2016, Dt.09.11.2017

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ORDER:-

In the reference 1st read above, the Collector & District Magistrate, Karimnagar District has issued Proceedings cancelling the "Munnurukapu" (B.C-D) certificate of Sri R.Malla Reddy, S/o R. Lachi Reddy, R/o Vangara Village of Bheemdevarapally Mandal, Warangal (Urban) District, working as Mechanic, Zonal Work Shop, Karimnagar TSRTC Depot and retired on 30.06.2016.

2. Aggrieved by the said Proceedings of the Collector & District Magistrate, Karimnagar District, Sri R.Malla Reddy has filed an appeal petition before the Government vide reference 2nd read above.

3. In the reference 3rd read above, Government have requested the Collector & District Magistrate, Karimnagar District to send detailed remarks, if any, along with connected original records to examine and dispose off the appeal petition filed before the Government. In the reference 4th read above, the Collector & District Magistrate, Karimnagar District, has furnished the relevant records and para-wise remarks on the appeal petition filed by Sri R.Malla Reddy and among others requested the Government to dismiss the appeal and pass such other order or orders as deemed fit and proper in the circumstances of the case.

4. The case was taken up for personal hearing by the Government, as such several hearings were held by appropriate authority in the case. The appellant has not attended the hearing called on 18.04.2017, 17.10.2017 and 06.12.2017. The complainant has attended the hearing on 06.12.2017.

5. Government have examined the matter in detail and observed the following:-

- ❖ On perusal of proceeding of Collector and District Magistrate, Karimnagar in Rc.No.C4/823/2012 Dated.14.06.2016 the individual has failed to produce any documentary evidence to prove his caste as BC-D Munnurukapu even after sufficient time was given by the DLSC.
- ❖ The individual had not file any written explanation on the show cause notice issued on 01.03.2016 by the Collector and District Magistrate, the then Karimnagar District, now Warangal Urban District within the stipulated time.
- ❖ The individual had file appeal petition before the Government on 12.09.2016.
- ❖ The case was posted for hearing on 18.04.2017, 17.10.2017 and 06.12.2017, but the petitioner neither furnished any document of proof or written statement nor attended the hearing made by the Government.

p.t.o.

- ❖ As per the Section (6) of Telangana (SC, ST & BC) issue of Community, Nativity and Date of Birth Certificates Rule, 1997, the burden of proof lies with the applicant.
- ❖ In this case the petitioner, Sri R.Malla Reddy, failed to produced any documentary proof before the DLSC and also before the Government when called for hearing.
- ❖ Government have verified the documentary evidences available in the original File bearing C.No.C4/823/2012 of the Collector & District Magistrate, the then Karimnagar District, now Warangal (Urban) District, i.e., enquiry report of Tahsildar Bheemadevarapally in Lr.No.C/721/2010, Dt.20.06.2012 submitted to RDO, Karimnagar. The copy of the MRO, Bheemadevarapally Mandal Report in Lr.No.C/1359/1996, Dt.21.05.1996 and the Director, (V&S) Vigilance Report in Lr.No.Dr.(V&S) 114(S)/2008-KZ, Dt.22.09.2008, representations made by the petitioner before the DLSC, etc. The petitioner failed to produce any evidence proof before the DLSC even after giving sufficient time.
- ❖ The petitioner appeal to Government to consider his Appeal petition.No.7, Dt.12.09.2016, on cancellation of his BC-D Caste Certificate issued by MRO, Bheemadevarapally by the Collector & District Magistrate, the then Karimnagar District, now Warangal (Urban) District vide Procs.Rc.No.C4/823/2012, Dt.14.06.2016, but failed to attend the hearing when called for.

6. Government after careful examination in detail of the entire matter and the material made available with it, concludes that Sri R.Malla Reddy does not belong to BC-D Munnurukapu community. Therefore, the decision taken by the Collector and District Magistrate, the then Karimnagar District, now Warangal (Urban) District is correct and in accordance with Law. Under the circumstances, the orders issued by the Collector and District Magistrate, the then Karimnagar District, now Warangal (Urban) District are hereby confirmed.

7. Government, therefore, in exercise of the powers conferred u/s 7 of Act No.16 of 1993, decide that the appeal petition filed by Sri R.Malla Reddy do not deserve any interference. Hence, Proceedings of the Collector and District Magistrate, the then Karimnagar District, now Warangal (Urban) District issued vide reference 1st read above are upheld and the appeal of Sri R.Malla Reddy, S/o R. Lachi Reddy, R/o Vangara Village of Bheemdevarapally Mandal, Warangal (Urban) District, working as Mechanic, Zonal Work Shop, Karimnagar TSRTC Depot and retired on 30.06.2016 is hereby rejected.

8. The Collector and District Magistrate, Warangal (Urban) District is requested to take further necessary action in the matter accordingly, as per the provisions of Act No.16 of 1993.

9. The original records in file bearing C.No.C4/823/2012 containing current file pages (932) and Note file pages (22) Total (954), furnished by the Collector and District Magistrate, Warangal (Urban) District have already been returned vide reference 6th cited and he is requested to acknowledge the receipt of the same.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

B.VENKATESHAM
PRINCIPAL SECRETARY TO GOVERNMENT (FAC)

To
The Collector and District Magistrate, Warangal (Urban) District
Sri R.Malla Reddy,
E-302919, Mechanic, Zonal Workshop, R/o Vangara Village,
Bheemdevarapally Mandal, Warangal (Urban) District
The Managing Director, TSRTC, Musheerabad, Hyderabad

Copy to:

Sri K.Ramchander,
H.No.9-4-618, Sapthagiri Colony,
Near Peddamma Colony, Karimnagar City
P.S. to Hon'ble Minister for BC Welfare, Telangana Secretariat,
Hyderabad

SC/SF

//Forwarded: By Order//

Section Officer